

Amendments to the Claims

Please amend the claims to read as follows:

1. (Canceled)

2. (Currently Amended) ~~The composition of claim 1, A grout composition comprising~~  
a) 20% to 40%, by weight, of first mineral filler particles having an average particle size  
in the range from 160 to 700 micrometers and a Mohs hardness less than ~~about~~  
6.5;  
b) 20% to 40%, by weight, of second mineral filler particles having an average particle  
size in the range from 90 to 120 micrometers; and  
c) 20% to 35%, by weight, of ~~the~~an air-dryable polymeric ~~resin~~ latex, the latex having a  
solids content sufficient to form a solid grout from the composition upon drying.

3. (Original) The composition of claim 2, wherein at least 80% of the first particles have a size  
in the range from 160 to 700 micrometers.

4. (Original) The composition of claim 3, wherein at least 80% of the second particles have a  
size in the range from 90 to 120 micrometers.

5. (Original) The composition of claim 2, wherein the first mineral filler particles and the  
second mineral filler particles are particles of the same mineral.

6-22. (Canceled)

23. (Currently Amended) The composition of ~~claim 1~~ claim 2, wherein the ~~resin~~ latex  
comprises a plurality of polymers.

24-25. (Canceled)

26. (Original) The composition of ~~claim 24~~ claim 23, wherein the ~~resin-latex~~ comprises a plurality of acrylic ~~latex~~ polymers.

27-28. (Canceled)

29. (Currently Amended) The composition of ~~claim 1~~ claim 2, further comprising a polymer-soluble dye.

30. (Currently Amended) The composition of ~~claim 1~~ claim 2, wherein the composition comprises one or more solvents in an amount sufficient to improve the workability of the composition.

31-33. (Canceled)

34. (Currently Amended) The composition of ~~claim 1~~ claim 2, further comprising a fungicide.

35. (Currently Amended) The composition of ~~claim 1~~ claim 2, further comprising propylene glycol in an amount sufficient to modulate the rate of drying of the composition upon exposure to air.

36. (Currently Amended) The composition of ~~claim 1~~ claim 2, further comprising an antifoam, a wetting agent, a biocide, a thickening agent, a drying rate modulator, and water.

37. (Currently Amended) The composition of ~~claim 1~~ claim 2, further comprising a water-repelling polymer.

38. (Original) The composition of claim 37, wherein the water-repelling polymer is selected from the group consisting of fluorochemical polymers, styrene maleic anhydride copolymers, and polyalkylsiloxanes.

39. (Currently Amended) The composition of ~~claim 1~~ claim 2, further comprising a coupling agent for covalently binding at least one of the first and second mineral fillers with a polymer of the ~~polymeric resin latex~~.

40. (Currently Amended) A sealed container containing the grout composition of ~~claim 1~~ claim 2, wherein the container has a nozzle for dispensing the composition from the container under pressure.

41. (Original) The container of claim 40, further comprising a valve in fluid communication with the nozzle, whereby the composition is dispensed through the nozzle upon actuation of the valve.

42. (Original) The container of claim 40, further comprising a piston having a face that urges the composition through the nozzle upon application of force pressure to the piston.

43. (Original) The container of claim 42, further comprising a pressurized reservoir exerts pressure on the piston.

44. (Original) The container of claim 42, wherein the shape of the container is adapted to fit a caulking gun, whereby the caulking gun can be used to apply pressure to the second face of the piston and dispense the composition through the nozzle.

45. (Currently Amended) A pressurized container containing the grout composition of ~~claim 1~~ claim 2, wherein the container has a valved outlet in fluid communication with the interior of the container for dispensing the composition from the container under pressure upon actuation of the valve.

46. (Original) The container of claim 45, further comprising a nozzle in fluid communication with the outlet of the valve, for directing the dispensed composition.

47. (Original) The container of claim 46, wherein the nozzle has a dispensing end adapted to fit between ceramic tiles.

48. (Original) The container of claim 47, wherein the dispensing end of the nozzle is adapted to fit between ceramic tiles spaced not less than 0.5 inch apart.

49. (Original) The container of claim 47, wherein the dispensing end of the nozzle is adapted to fit between ceramic tiles spaced not less than 0.25 inch apart.

50. (Original) The container of claim 47, wherein the dispensing end of the nozzle is adapted to fit between ceramic tiles spaced not less than 0.125 inch apart.

51. (Original) The container of claim 47, wherein the dispensing end of the nozzle defines an orifice through which the composition can be dispensed and a shaping edge adjacent the orifice, whereby the surface of the dispensed composition can be shaped by sliding the shaping edge along the surface.

52. (Original) The container of claim 51, wherein the shaping edge has a rounded shape for imparting a concave shape to the surface of the dispensed composition when the shaping edge is slid along the surface.

53. (Original) The container of claim 47, wherein the nozzle comprises a stabilizing member for sliding against a tiled surface while dispensing the composition.

54. (Original) The container of claim 53, wherein the stabilizing member is unitary with the nozzle.

55. (Original) The container of claim 45, further comprising a piston interposed between a pressurized portion of the container and a second portion of the container, wherein the second portion contains the composition and fluidly communicates with the valve.

56. (Currently Amended) The container of claim 55, wherein the container has a substantially circular cross-section and the pressurized portion of the container urges the piston axially along the container.

57. (Original) The container of claim 45, wherein the pressurized portion of the container comprises a pressurized bladder contained within the container.

58. (Currently Amended) A container having a sealed outlet and a compressible portion and containing the composition of ~~claim 1~~ claim 2, whereby the composition is dispensable from the outlet when the outlet is unsealed and the compressible portion is compressed.

59. (Original) The container of claim 58, wherein the outlet is sealed by a valve.

60. (Currently Amended) A method of waterproofing a surface having tiles adhered thereto, the method comprising filling interstices between the tiles with the composition of claim 2, ~~a grout composition comprising~~

- ~~a first mineral filler having an average particle size greater than 100 micrometers and a Mohs hardness less than about 6.5;~~
- ~~b) a second mineral filler having an average particle size less than 100 micrometers; and~~
- ~~c) at least 15%, by weight, of an air dryable polymeric resin.~~

61. (Original) The method of claim 60, wherein the interstices are filled by applying the composition to the tiled surface, urging the composition into the interstices, and thereafter removing excess composition not contained within the interstices.

62. (Original) The method of claim 60, wherein the interstices are filled using an apparatus which comprises a container containing the composition, a pressure source, and a valve in fluid communication with the pressure source and the interior of the container for dispensing the composition from the container upon actuation of the valve.

63. (Original) The method of claim 62, wherein the apparatus further comprises a nozzle for directing the dispensed composition into the interstices.

64. (Original) The method of claim 62, wherein the apparatus is a container having a piston interposed between a pressurized portion of the container and a second portion of the container, wherein the second portion contains the composition and fluidly communicates with the valve.

65-66. (Canceled)

67. (New) The composition of claim 2, wherein the solids content of the latex is from 30% to 50% by weight.